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EXAMINER

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

Response to Amendment

1. This Office action is responsive to Applicant's AMENDMENT UNDER 37 C.F.R. §1.111, filed January 4, 2007. Claims 1-8, 13, 14, 16-23, 28-32 and 35-42 are pending.

Response to Arguments

2. Applicant's arguments filed in response to the prior rejection of claims 1-7, 15-22, 30-32 and 37-40 under 35 U.S.C. 102(b), and claims 1-6, 8, 13-21, 23, 28-32, 35 and 36 under 35 U.S.C. 102(e) have been fully considered but they are not persuasive. Applicant's remarks on pages 12-16 are based on the claims as amended to overcome the prior rejections. These arguments are rendered moot in view of newly cited prior art, as set forth below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-7, 16-22, 30-32 and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,669,040 (Hisatake) in view of U.S. Patent 7,184,171 (Hara).

Regarding claims 1-7, 37 and 38, Hisatake teaches an image data processing apparatus in which a parameter representing contents of a predetermined image processing to be executed on image data and the image data are saved together with mutual relating information, the apparatus comprising: a parameter setting unit which sets a parameter representing contents of a predetermined image processing to be executed on image data (job setting display section U2 displays parameters for each job (column 12, lines 54-67)); a data saving unit which saves the image data and the parameter together with relating information (image data stored in image data storage section (column 7, lines 16-31)); a data acquiring unit which acquires the image data and the parameter by referring to the relating information (related information displayed as job numbers on job console section U1 (column 12, lines 48-53)); and an image processing reproducing unit which obtains image data subjected to the specified image processing based on the acquired image data and parameter (jobs undergo output process according to job management table (column 10, line 37 – column 11, line 12)). The parameter represents a type or degree of an image processing (sheet size, number of copies, magnification displayed on job setting display section (Fig. 8)). There are a plurality of parameters every image processing type (plural parameters displayed for

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each job (Fig. 8)). A plurality of parameters can be saved and execution can selectively be performed from the parameters (plurality of parameters displayed, execution of parameters performed for selected job (Fig. 8)). The parameter includes execution order information for carrying out an image processing in predetermined order (execution order information (output processing order) provided on job management table (Figs. 4A, 4B)).

Regarding claim 15, Hisatake teaches a medium recording an image data set recording: image data (image data stored in image data storage section (column 7, lines 16-31)); a parameter representing contents of a predetermined image processing such that the image processing can be carried out for corresponding image data (job setting display section U2 displays parameters for each job (column 12, lines 54-67)); and relating information for relating the image data to the parameter such that the contents of the image processing represented by the parameter can be executed on the image data (related information displayed as job numbers on job console section U1 (column 12, lines 48-53)).

Regarding claims 16-22, 39 and 40, Hisatake teaches a medium recording an image data processing program for causing a computer to execute steps for performing image processing as recited in above-rejected claims 1-7, 37 and 38, respectively (control section includes program ROM (column 7, line 60 – column 8, line 2)).

Regarding claims 30-32, Hisatake teaches an image data processing method in which a parameter representing contents of a predetermined image processing to be executed on image data is set, the image data and the parameter are saved together

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with relating information (image data stored in image data storage section (column 7, lines 16-31); job setting display section U2 displays parameters for each job (column 12, lines 54-67); related information displayed as job numbers on job console section U1 (column 12, lines 48-53)); and the image data and the parameter are acquired by referring to the relating information, and image data subjected to the specified image processing are obtained based on the acquired image data and parameter (jobs undergo output process according to job management table (column 10, line 37 – column 11, line 12)).

Base claims 1-3, 16-18 and 30-32 have been amended to indicate setting of parameter representing contents “to modify at least one of a hue component, a luminance value, a lightness value and a color saturation value of the image data.” While this limitation is not disclosed by Hisatake, Hara discloses an image processing method wherein parameters for modifying color information are saved along with image data and relating information, and the image data and parameters are acquired by referring to the relating information (header, which includes color parameter (Fig. 11; column 13, lines 43-48) stored together with image data (column 13, lines 56-67); when ID of image data selected, header is checked, and image data is processed in accordance with stored color parameter (column 14, lines 9-19); color processing including gamma conversion (column 14, lines 20-31), which inherently involves modification of at least one of a hue component, a luminance value, a lightness value and a color saturation value). Providing color parameters for processing color images when the image ID is selected enables correction of color content in scanned color

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images, thereby enhancing the versatility of image processing. Therefore, it would have been obvious for one of ordinary skill in the art to provide an additional color parameter or parameters, as disclosed by Hara, in the parameter setting unit of Hisatake.

6. Claims 1-6, 8, 13, 14, 16-21, 23, 28-32, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,377,359 (Higashio) in view of Hara.

Regarding claims 1-6, 8, 13 and 14, Higashio teaches an image data processing apparatus in which a parameter representing contents of a predetermined image processing to be executed on image data and the image data are saved together with mutual relating information, the apparatus comprising: a parameter setting unit which sets a parameter representing contents of a predetermined image processing to be executed on image data (column 7, line 64 – column 8, line 25); a data saving unit which saves the image data and the parameter together with relating information (column 8, lines 31-35; column 5, lines 43-54); a data acquiring unit which acquires the image data and the parameter by referring to the relating information (column 5, lines 54-59); and an image processing reproducing unit which obtains image data subjected to the specified image processing based on the acquired image data and parameter (column 9, lines 4-9). The parameter represents a type or degree of an image processing (resolution conversion, enlargement/reduction ratio (column 8, lines 10-46)). There are a plurality of parameters every image processing type (parameters for resolution conversion include resolution of output device, information on original size (column 8, lines 10-14). A plurality of parameters can be saved and execution can selectively be performed from the parameters (column 8, lines 31-46; Fig. 5). The

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parameter is divided into a plurality of selectable sets, and an image processing is carried out based on a set of parameters which are selected during execution (resolution conversion as mentioned above performed according to separate sets of additional information (Fig. 5)). The parameter setting unit sets contents of an image processing based on a result obtained by statistically analyzing the image data (column 9, lines 27-35). The image processing reproducing unit selects an image processing section to execute an image processing represented by the parameter and executes the image processing (column 7, lines 52-54).

Regarding claim 15, Higashio teaches a medium recording an image data set recording: image data (image database including image data (column 5, lines 43-44)); a parameter representing contents of a predetermined image processing such that the image processing can be carried out for corresponding image data (image database further includes image size and resolution (column 5, lines 54-57)); and relating information for relating the image data to the parameter such that the contents of the image processing represented by the parameter can be executed on the image data (keyword associated with retrieval of image data (column 5, lines 57-59)).

Regarding claims 16-21; 23, 28 and 29, Higashio teaches a medium recording an image data processing program for causing a computer to execute steps for performing image processing as recited in above-rejected claims 1-6, 8, 13 and 14, respectively (ROM 203 stores program for implementing image data management system (column 4, lines 20-24, 55 and 56)).

Regarding claims 30-32, 35 and 36, Higashio teaches an image data processing method in which a parameter representing contents of a predetermined image processing to be executed on image data is set, the image data and the parameter are saved together with relating information (column 8, lines 31-35; column 5, lines 43-54); and the image data and the parameter are acquired by referring to the relating information (column 5, lines 54-59); and image data subjected to the specified image processing are obtained based on the acquired image data and parameter (column 9, lines 4-9). The image data are statistically analyzed and contents of an image processing are set based on a result of the analysis (column 9, lines 27-35). An image processing section is selected to execute an image processing represented by the parameter and is caused to execute the image processing (column 7, lines 52-54).

As mentioned above, base claims 1-3, 16-18 and 30-32 have been amended to indicate setting of parameter representing contents "to modify at least one of a hue component, a luminance value, a lightness value and a color saturation value of the image data." This limitation is not disclosed by Higashio either, but as mentioned above, Hara discloses an image processing method wherein parameters for modifying color information are saved along with image data and relating information, and the image data and parameters are acquired by referring to the relating information (header, which includes color parameter (Fig. 11; column 13, lines 43-48) stored together with image data (column 13, lines 56-67); when ID of image data selected, header is checked, and image data is processed in accordance with stored color parameter (column 14, lines 9-19); color processing including gamma conversion (column 14, lines

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20-31), which inherently involves modification of at least one of a hue component, a luminance value, a lightness value and a color saturation value). Providing color parameters for processing color images when the image ID is selected enables correction of color content in scanned color images, thereby enhancing the versatility of image processing. Therefore, it would have been obvious for one of ordinary skill in the art to provide an additional color parameter or parameters, as disclosed by Hara, in the parameter setting unit of Higashio.

7. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hisatake in view of Hara as applied to claim 1 above, and further in view of U.S. Patent 5,587,799 (Kawamura et al., hereinafter Kawamura).

Neither Hisatake nor Hara disclose "wherein the parameter includes time information that enables management of a plurality of the image processing to be executed in time series." This limitation is disclosed in Kawamura (a process pertaining to a job number is performed when a start time is reached (column 7, lines 3-13)). By providing time information, a user may preprogram the image apparatus to execute processing of image data at a later time, thereby adding to convenience in operation. Therefore, it would have been obvious for one of ordinary skill in the art to modify the combined teaching of Hisatake and Hara, by providing time information for performing image processing, as disclosed in Kawamura.

8. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hisatake in view of Hara as applied to claim 1 above, and further in view of U.S. Patent 5,335,097 (Murakami).

Neither Hisatake nor Hara disclose "wherein an image of the image data and an image of the image data subjected to the specified image processing are displayed side by side." This limitation is disclosed in Murakami (images before and after correction displayed side by side in a split screen mode on an image monitor (column 18, lines 58-60; column 24, lines 9-13)). By displaying images before and after processing side by side, a user is better able to directly compare the two images to determine whether the processing was performed to his or her satisfaction. Therefore, it would have been obvious for one of ordinary skill in the art to modify the combined teaching of Hisatake and Hara, by providing side-by-side display of image data before and after processing, as disclosed in Murakami.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Lee whose telephone number is (571) 272-7436. The examiner can normally be reached on Monday-Friday, 7:30-5:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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March 28, 2007